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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/939,960	08/27/2001	Lane W. Lee	M-12043 US	6648

7590

05/27/2004

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EXAMINER

BAYAT, BRADLEY B

ART UNIT	PAPER NUMBER
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3621

DATE MAILED: 05/27/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/939,960

Applicant(s)

LEE ET AL.

Examiner

Bradley Bayat

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 27 August 2001.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-36 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-36 is/are rejected.
- 7) ☒ Claim(s) 33 is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
 - ☐ Certified copies of the priority documents have been received in Application No. _____.
 - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- ☒ Notice of References Cited (PTO-892)
- ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____.
- ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date _____.
- ☐ Notice of Informal Patent Application (PTO-152)
- ☐ Other: _____.

DETAILED ACTION

Claims 1-36 are presented for examination on the merits.

Claim Objections

Claim 33 is objected to because of the following informalities: It is incorrectly directed to a method rather than an apparatus of claim 31. Appropriate correction is required.

Claim Rejections - 35 USC § 102

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

Claims 1-36 are rejected under 35 U.S.C. 102(e) as being anticipated by Ginter et al., U.S. Patent 6,389,402 B1.

As per the following claims, van Ginter et al. discloses:

1. A method of securing content stored on media, the method comprising: attaching content privileges to the media, wherein the privileges govern a plurality of levels of access; and configuring the media to permit access to the content according to the content privileges and predetermined conditions (columns 43-44).
2. The method of claim 1 wherein one of the levels of access to the content includes at least one of playback, copying and manipulating of the content (columns 45-46).

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3. The method of claim 2 wherein the copying of content includes copying one of a limited number and an unlimited number of copies of pre-recorded content (column 46-47).

4. The method of claim 3 wherein the unlimited number of copies relates to one of an original source of the content being copied and a copied original source of the content being copied (columns 47-49).

5. The method of claim 1 wherein the predetermined conditions include one or more of: authenticating a channel for delivery of the content; and checking a revocation list for a revoked indicator before permitting access, wherein presence of the revoked indicator precludes permitting access (columns 43-48).

6. The method of claim 1 wherein the attached content privileges operate with a data management system wherein the content is stored on the media, the management system managing access to the content (figures 86-86A and associated text).

7. The method of claim 6 wherein the data management system includes firmware located in a controller, the firmware including at least a secure application programming interface (API) and an open API, wherein: the open API allows access to file system data on the media; and the secure API allows access to secure data on the media according to one or more identifiers on the media (figures 11A-C and associated text).

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8. The method of claim 7 wherein the secure API includes a first secure API and one or more additional secure APIs, the first secure API operable with the one or more additional secure APIs, the one or more additional secure APIs providing additive layers of security, the first secure API controlling access to the content with the additive layers of security (figures 10-11C and associated text).

9. The method of claim 7 wherein the firmware is included on an application specific integrated circuit (ASIC)(figure 6 and associated text).

10. The method of claim 6 wherein the data management system manages content access via at least one application programming interface (API), the API restricting access to the media by a host (figure 10 and associated text).

11. The method of claim 10 wherein the API is capable of preventing block level access to the content (figure 10 and associated text).

12. The method of claim 10 wherein the API is accessible only via an authenticated channel (figures 11A-C and associated text).

13. The method of claim 1 wherein the media is portable media, including an optical disk and the content includes one or more of mastered content, recorded content, copied content and unlocked content and locked content (columns 2-3).

14. The method of claim 7 wherein the identifier provides a seed for a key box, the key box providing keys for at least one of unlocking data and decrypting content (figures 5A-58B and associated text).

15. The method of claim 14 wherein the media holds one or more of mastered content and recorded content, the mastered content and the recorded content each being associated with a key box, the key box being bound to the media (figure 17 and associated text).

16. The method of claim 15 wherein the mastered content and the recorded content, together with their associated key boxes each provide a complete accessing system (figure 36 and associated text)..

17. The method of claim 15 wherein the key box may be unbound from a first media and rebound to a second media to create a to a complete accessing system on the second media with the key box bound thereto (figures 17-19 and associated text).

Claims 18-33 are directed to an apparatus of the above method and are rejected as above.

34. A method for mastering secure pre-recorded content comprising: encrypting the pre-recorded content; and binding a key box and one or more identifiers to a media disk, the key box configured to use the identifier with the key box, wherein the identifiers include one or more of a

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complete identifier and a partial identifier, the partial identifier requiring completion via a secondary transaction prior to using the key box (columns 21-23 and 211-214).

35. The method of claim 34 wherein the key box is configured to provide keys for operating a triple-DES block, the triple-DES block receiving an output of a random key generator, the random key generator being seeded by the completed identifier from the media disk, the triple-DES block using the completed identifier with the key box for decrypting and encrypting the content (columns 21-23).

36. The method of claim 34 wherein the identifiers include public and private identifiers (columns 21-23 and 211-214).

Examiner has pointed out particular references contained in the prior arts of record in the body of this action for the convenience of the applicant. Although the specified citations are representative of the teachings in the art and are applied to the specific limitations within the individual claim, other passages and figures may apply as well. It is respectfully requested from the applicant, in preparing the response, to consider fully the entire references as potentially teaching all or part of the claimed invention, as well as the context of the passage as taught by the prior arts or disclosed by the examiner.

Conclusion

The prior art made of record and not relied upon is considered pertinent to applicant's disclosure:

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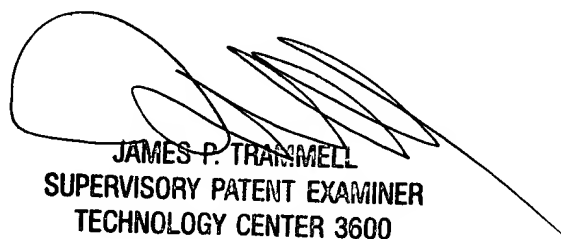
- Patent No. 6,496,802 B1 to van Zoest et al.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Bradley Bayat whose telephone number is 703-305-8548. The examiner can normally be reached on Tuesday-Friday during normal business hours.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, James Trammell can be reached on 703-305-9768. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

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